

U.S. Application No. 09/900,224, filed July 6, 2001
Attorney Docket No. 17453US02
Amendment dated December 31, 2007
In Response to Office Action mailed July 31, 2007

REMARKS

Claim 15 stands object to. Claims 1-7 and 11-18 stand rejected under 35 U.S.C. § 112. *Only* claims 7 and 12 have been substantively rejected under 35 U.S.C. § 102(e). Claims 8-10 recite patentable subject matter.

According to the Office Action mailed July 31, 2007, there is no prior art rejection with respect to claims 1-5, 8-11 and 13-18.

The Examiner objects to claim 15 because claim 15 allegedly does not further limit the subject matter of a previous claim. Independent claim 13 from which claim 15 indirectly depends recites "a control signal comprising a key index". The Examiner incorrectly states that claim 15 merely recites "the control signal comprises the key index". The attention of the Examiner is respectfully drawn the actual elements recited in claim 15: "*wherein the decrypted or inversely transformed portion of the control signal* comprises the key index". Thus, while independent claim 13 recites "the control signal", claim 15 recites "the decrypted or inversely transformed portion of the control signal". The additional elements recited in claim 15 further define the scope of claim 15. For at least the above reasons, it is respectfully requested that the Examiner withdraw the objection with respect to claim 15.

Claims 1-6, 11 and 13-18 stand rejected under 35 U.S.C. § 112, ¶ 1, as allegedly failing to comply with the written description requirement. Applicant traverses the rejection as set forth below.

Claim 1, as originally filed, recited "generating by the first device a control signal and a parameter signal". Thus, since the claims are part of the written disclosure, the subject matter as described in claim, as originally filed, serves as a basis to traverse the written description requirement.

In addition, the specification at page 2, lines 17-20, support generating, by a first device,

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a control signal and a parameter signal.

Applicant has amended the specification to include the relevant words as set forth in claim 1. No new matter is believed to have been added in view of claim 1, as originally filed, and the specification at page 2, lines 17-20.

For at least the above reasons, it is respectfully submitted that claims 1-6, 11 and 13-18 fully comply with the written description requirement as set forth in 35 U.S.C. § 112, ¶ 1.

Therefore, it is respectfully requested that the rejection under 35 U.S.C. § 112, ¶ 1, be withdrawn with respect to claims 1-6, 11 and 13-18.

Claims 7 and 12 stand rejected under 35 U.S.C. § 112, ¶ 2, as allegedly having insufficient antecedent basis. Applicant does not understand the rejection that the Examiner is attempting to assert. Claim 12 recites "*the* portion of the control signal" which finds antecedent basis in claim 7, from which claim 12 depends. Claim 7 recites "*a* portion of the control signal". Thus, there is antecedent basis for "*the* portion of the control signal" as set forth in claim 12.

In claim 7, the first time "encrypted or hashed signal" is recited, it is recited as "*an* encrypted or hashed signal". The second time that "encrypted or hashed signal" is recited in claim 7, it is recited as "*the* encrypted or hashed signal". In other words, the second time "encrypted or hashed signal" is recited in claim 7, Applicant uses "*the*" to indicate that there is an antecedent basis previously recited. Thus, claim 7 complies with the antecedent basis requirement.

In claim 7, the first time "encrypted or hashed form" is recited, it is recited as "*an* encrypted or hashed form". Thus, claim 7 complies with the antecedent basis requirement.

For at least the above reasons, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. § 112, ¶ 2, with respect to claims 7 and 12.

Since only claims 7 and 12 are rejected in view of the prior art, at this point, Applicant respectfully notes that claims 1-6 and 13-18 are in condition for allowance and

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that claims 8-11 are allowable if the prior art rejection of claim 7 is resolved.

Claims 7 and 12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,742,116 B1 to Kazuki Matsui et al. ("Matsui"). Applicant respectfully traverse the rejection as set forth below.

In the Office Action, the Examiner states that all the elements as set forth in claim 7 and claim 12 are in Matsui at col. 14, line 57 to col. 15, line 56. Applicant respectfully requests a clarification from the Examiner.

1. What is the control signal in Matsui at col. 14, line 57 to col. 15, line 56?
2. What is the parameter signal in Matsui at col. 14, line 57 to col. 15, line 56?
3. What is the destination parameter signal in Matsui at col. 14, line 57 to col. 15, line 56?
4. Where does Matsui describe an encrypted or hashed signal that comprises an encrypted or hashed form of a parameter signal and a portion of the control signal?

Applicant does not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicant respectfully reserves the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

With respect to the present application, Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

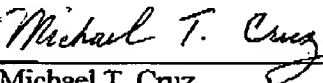
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In view of at least the foregoing, it is respectfully submitted that at least some of the claims are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: December 31, 2007

Respectfully submitted,


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